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APR 13 2007

REMARKS

Claims 1, 6, 9, 16 and 21 have been amended. Claims 4, 5, 14, 15 and 24 have been canceled. New claims 25-27 have been newly added. No new matter as been added. Entry is requested.

Claims 1-24 are again rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. The examiner urges that the claimed subject matter is not described in the specification in a manner that would enable the skilled artisan to make and/or use the invention. The examiner maintains the position that only tradenames are used in the specification to describe the neutralizing material. The examiner urges that "[o]ne of ordinary skill in the art, who is unable to secure these materials would be unable to practice applicants' invention.

Applicants disagree. Applicants have identified compounds that can be added to a hot melt to neutralize the malodor thereof, and a commercial source of such compounds. That is all that is required for enablement. Applicants have disclosed how to make and use the claimed invention, and have described best mode for practicing the invention.

The claimed invention is directed to a hot melt adhesive comprising an odor neutralizing material, which does not mask but neutralizes the odor of the hot melt adhesive. As described in applicant's disclosure, malodors are present in formulated hot melt adhesives. While the art has covered-up or masked the unpleasant odor with perfumes and fragrances, the final odor is that the perfume/fragrance, rather than a neutral odor. The claimed invention is particularly advantageous since many people dislike the presence of perfumes/fragrances.

A fair reading of the disclosure clearly indicates that a neutralizing material is one that counteracts the smell of the adhesive. This term cannot be considered as masking, as the skilled practitioner would understand applicant's use of this term. The final odor of the adhesive containing a masking agent, as discussed in applicant's specification, would be the scent of the masking agent itself. Reference is also made to the examples, where a hot melt adhesive smelling of resin/oil, smells neutral after addition of a neutralizing agent, but has a floral sent after addition of a masking agent.

Applicants were the first to discover that certain adhesives can be odor neutralized (not masked), by adding to the adhesive formulation certain materials that neutralized the odor. Two odor neutralizing materials have been discovered and are disclosed in the subject application and are exemplified. Whether a particular material can neutralize malodors of hot melt formulations can be readily determined by the skilled artisan using the test set forth in the examples.

Withdrawal of the Section 112, first paragraph, rejection is requested.

Claims 1, 7, 9 and 21 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Johnson (US 6,171,354) in view of Catron et al. (US 4,340,402) or Latakas et al. (US 4,105,423). Applicants disagree.

Johnson discloses an air filtering device consisting primarily of a filtering substrate and an adhesive layer disposed in a discontinuous pattern on a major face of the filter substrate. At col. 3, lines 20-22, Johnson discloses that fragrancing and/or odor neutralizing may be an optional feature of the filter substrate and/or the adhesive layer. Reference s also made to claim 14 of the Johnson patent. Substances that can be used to fragrance or neutralize odor are not disclosed. More importantly, there is no disclosure or

suggestion of an adhesive that comprises an additive that neutralizes the odor present in the adhesive component of the filter. The combined reference may, at most, suggest air filters made with various types of adhesives, including hot melt adhesive and pressure sensitive hot melt adhesives, that contain fragrances or neutralizing agents used to mask odors present in the air flowing through the filter. There is no disclosure or suggestion of a hot melt adhesive comprising an odor neutralizing material, which neutralizes the odor of the hot melt adhesive itself, not the substrate to which it is applied or the surrounding environment.

The claimed invention is directed to a hot melt adhesive comprising an odor neutralizing material, which does not mask but neutralizes the odor of the hot melt adhesive. There is no disclosure in the Johnson primary reference or in the applied secondary references suggesting that any composition can be used to neutralize the odor of a hot melt adhesive. Neither the primary reference, nor either of the secondary references even acknowledges that hot melt adhesive have a malodor, let alone suggest how the malodor can be neutralized.

Withdrawal of the rejection of claims 1, 7, 9 and 21 as being obvious over Johnson (US 6,171,354) in view of Catron et al. (US 4,340,402) or Latakas et al. (US 4,105,423) is requested.

Claims 1-3, 6-13 and 16-23 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Vick et al (US 5,861,128), Svenningsen et al (US 6,664,309), Sharak (2002/0105183), Sekisui Chem Co. (JP 03 170575), Univ. Jilin (CN 1 401 724), Yazaki Corp. (JP 2002 180026 A) or Hitachi Kasei Polymer Corp. (JP 2000 204334). Applicants disagree.

Vick et al (US 5,861,128) discloses air freshening device. The device comprises a foamed substrate having a solidified flexible residue on at least one surface of the substrate, which residue is formed from a solution containing liquefied solids and a liquid fragrant, such as a fragrant oil. The residue releases the fragrance into the ambient air to deodorize or freshen the air going through a forced air ventilation system. While liquefied solid used may be a hot melt adhesive, there is no disclosure or suggestion of a hot melt adhesive comprising an odor neutralizing material, which neutralizes the odor of the hot melt adhesive itself, not the surrounding environment.

Svenningsen et al (US 6,664,309) discloses hot melt adhesives having antimicrobial properties that are useful in the manufacture of disposable absorbent articles such as diapers. A bacteriostat is added to the adhesive to prevent the formation of bacteria which is often accompanied by a change in adhesive properties, color formation and odor development. The subject application is not concerned with odor development but, rather, is directed to use of a neutralizing agent that neutralizes the natural malodor of a hot melt adhesive, not a malodor caused by the subsequent growth of bacteria over time.

Sharak (US 2003/105183 A1) discloses a hot melt adhesive composition that contains a scented composition that provides a scent or fragrance to nonwoven fabrics. In contrast, the subject application is not concerned with adding a scent but, rather, is directed to use of a material that neutralizes the natural malodor of a hot melt adhesive. While the scent may be added to mask the natural malodor of the adhesive, the scent is still very detectable and does not provide a neutralized hot melt adhesive.

Sekisui Chem Co. (JP 03 170575) discloses the use of cyclodextrin as a deodorizing composition. There is not disclosure or suggestion that cyclodextrin may be used to neutralize the natural malodor of a hot melt adhesive, e.g., in the final product, such as a nonwoven article.

Univ. Jilin (CN 1 401 724) is concerned with high working temperature adhesives that release odor at such high temperatures. There is no disclosure or suggestion that the deactivator is capable of neutralizing the natural malodor of a hot melt adhesive, e.g., in the final product, such as a nonwoven article.

Yazaki Corp. (JP 2002 180026 A) discloses hot melt adhesive compositions comprising carbon-carrying clay as odor absorbing additive. Carbon carrying clay is disclosed as being used in an adhesive composition used in the adhesive layer of an adhesive tape. There is no disclosure that the composition neutralizes the malodorous smell of the natural adhesive. The neutralization of an odor is not equivalent with absorbing a smell.

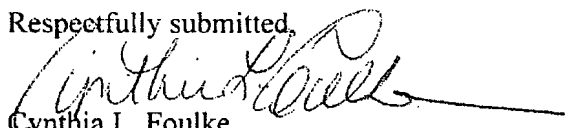
Hitachi Kasei Polymer Corp. (JP 2000 204334) discloses using a hydrazine-based metal deactivator to deactivate the deteriorative action of the residual metal catalyst remaining in the polymers used in the manufacture of the adhesive. Use is described as improving thermal stability including odor emission under continuous heating. There is no disclosure or suggestion that the deactivator is capable of neutralizing the natural malodor of a hot melt adhesive, e.g., in the final product, such as a nonwoven article.

Withdrawal of the rejection of claims 1-3, 6-13 and 16-23 as being obvious over Vick et al (US 5,861,128), Svenningsen et al (US 6,664,309), Sharak (2002/0105183),

Sekisui Chem Co. (JP 03 170575), Univ. Jilin (CN 1 401 724), Yazaki Corp. (JP 2002 180026 A) or Hitachi Kasei Polymer Corp. (JP 2000 204334) is requested.

Favorable and early action solicited.

Respectfully submitted,


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